

**REMARKS**

Claims 1-7 and 10-21 are pending in this application. By this Amendment, claims 1, 2, 7, 11-13, 15 and 20 are amended. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

The Office Action rejects claims 1-7 and 10-21 under 35 U.S.C. §102(b) over U.S. Patent 5,881,231 to Takagi et al. (hereafter Takagi). The rejection is respectfully traversed with respect to the pending claims.

Takagi was previously cited in the Office Action dated September 19, 2005. At that time, the Office Action stated that Takagi did not disclose "wherein said transferring conditioning information includes a blocking time period set in the first mobile terminal of when not to permit a file transfer to occur by the first mobile terminal." Independent claim 1 now recites that the transfer conditioning information includes a blocking time period set in the first mobile terminal by a user of when to block a file transfer from the server to the second mobile terminal.

More specifically, independent claim 1 recites storing a data file and transfer conditioning information at a server, the data file and the transfer conditioning information having been received from a first mobile terminal connected through the mobile communication network. Independent claim 1 also recites transmitting information from the server, the information for transferring the data file through the mobile communication network being based on the stored transfer conditioning information, and checking response information sent from a second mobile terminal answering to said information for transferring the data file. Still further, independent claim 1 recites transferring the data file from the server to the second mobile

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terminal based on the checked result, wherein said transfer conditioning information includes a blocking time period set in the first mobile terminal by a user of when to block a file transfer from the server to the second mobile terminal.

Takagi does not teach or suggest at least these features of independent claim 1. More specifically, Takagi relates to predicting a user's behavior. Takagi's terminal 10 includes a utilization status prediction unit 12, a utilization prediction knowledge 17 and a utilization status prediction 20 to create and store information to the terminal 10. See FIG. 1. Takagi's terminal 10 sets up an information transfer plan as to which data and/or programs to be transferred at what timing. This information may be provided to an information transfer plan table 24 in the terminal 10. See, for example, col. 16, lines 28-48. However, Takagi does not teach or suggest the storing of a data file and transfer conditioning information at a server in combination with the claimed transmitting information from the server, checking response information sent from a second mobile terminal and transferring the data file from the server to the second mobile terminal based on the checked response information. Rather, Takagi discloses operations within the terminal 10. This does not relate to the respective storing, transmitting and/or transferring as recited in independent claim 1 with regard to the first mobile terminal, the server and/or the second mobile terminal.

The Office Action also appears to rely on Takagi's col. 11, lines 29-45 and col. 13, lines 5-20 for features relating to the claimed transfer conditioning information including a blocking time period set in a first mobile terminal by a user of when to block a file transfer. The Office Action appears to rely on the setting of a delay time as corresponding to the claimed blocking

time. However, Takagi's description merely relates to adjustment of times. This does not correspond to a blocking time. Furthermore, this adjustment of time information is not stored at a server in which information has been received from a first mobile terminal. Additionally, Takagi's col. 13, lines 5-20 does not correspond to a blocking time period of when to block a file transfer from the server to a second mobile terminal.

For at least the reasons set forth above, Takagi does not teach or suggest all the features of independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Independent claim 7 recites storing, at a server, a data file and transfer conditioning information thereof received from a first mobile terminal connected through the mobile communication network and selecting one among the stored data files based on the stored transfer conditioning information. Independent claim 7 also recites transferring the selected data file from the server to a second mobile terminal specified as a destination of the selected file, wherein the transfer condition information includes information of a blocking time period set by a user of when to block a file transfer, and wherein said selecting includes selecting one data file whose transfer blocking time period is closest to a current time.

For at least similar reasons as set forth above, Takagi does not teach or suggest at least these features of independent claim 7. Thus, independent claim 7 defines patentable subject matter.

Independent claim 12 recites setting a blocking time period at a first mobile terminal during which a file transfer is to be blocked, and selecting a file to transfer from a file handling server to a second mobile terminal. Independent claim 12 also recites receiving by the second

mobile terminal, a display message indicating the file selected by the first mobile terminal is ready for transfer at a time not within the blocking time period, said display also including a size of the file to be transferred. Still further, independent claim 12 recites delaying the file transfer from the file handling server until the second mobile terminal is connected to an external apparatus having a sufficient memory capacity to store the size of the file to be transferred.

For at least similar reasons as set forth above, Takagi does not teach or suggest at least these features of independent claim 12. Additionally, Takagi does not suggest delaying the file transfer until a second mobile terminal is connected to an external apparatus having a sufficient memory capacity to store the size of the file to be transferred. When discussing this feature, the Office Action merely references Takagi's col. 11, lines 29-38. This does not relate to an external apparatus being connected to a second mobile terminal and/or the external apparatus having sufficient memory capacity. Thus, independent claim 12 defines patentable subject matter.

Independent 20 recites storing, at a file handling server, a data file and transfer conditioning information thereof received from a first mobile terminal connected through the mobile communication network. Independent claim 20 also recites selecting one among the stored data files based on the stored transfer conditioning information, and transferring the selected data file from the file handling server to a second mobile terminal specified as a destination of the selected file, wherein the transfer condition information includes information of a blocking time period set by a user of when to block a file transfer. Independent claim 20 also recites that the selecting includes selecting one data file whose transfer blocking time period is closest to a current time, and wherein the transferring includes transmitting another data file to

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a third mobile terminal specified as a destination of another selected data file if the selected data file is not transferred to the second mobile terminal. For at least similar reasons as set forth above, Takagi does not teach or suggest at least these features of independent claim 20. Thus, independent claim 20 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 7, 12 and 20 define patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, dependent claim 5 recites that the response information includes spare storage capacity information of a peripheral device connected to the second mobile terminal. The Office Action cites Takagi's col. 11, lines 16-26 as showing these features. However, the cited section relates to an information storage unit 15 (of the terminal 10). This does not relate to spare storage capacity information of a peripheral device connected to a second mobile terminal. Thus, dependent claim 5 defines patentable subject matter at least for this additional reason.

Additionally, dependent claim 15 recites that when the second mobile terminal is connected to the external apparatus, the second mobile terminal sends information about a memory capacity of the external apparatus to the file handling server and the file handling server determines whether the memory capacity is sufficient to store the file to be transferred. The Office Action cites Takagi's col. 15, lines 40-56; col. 17, lines 6-30 and col. 19, lines 36-53 as showing these features. However, the cited sections do not relate to a memory capacity of an

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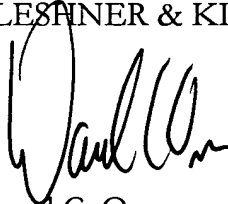
external apparatus and/or the sending of information of a memory capacity of the external apparatus. Thus, dependent claim 15 defines patentable subject matter at least for this additional reason.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-7 and 10-21 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Date: October 13, 2006**

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